

By: Pickett

H.B. No. 2568

A BILL TO BE ENTITLED

AN ACT

relating to the application of the motor vehicle emissions inspection and maintenance program to vehicles of certain model years.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter G, Chapter 382, Health and Safety Code, is amended by adding Section 382.2031 to read as follows:

Sec. 382.2031. REVIEW OF VEHICLE MODEL YEARS SUBJECT TO PROGRAM. (a) The commission shall determine whether the federal Clean Air Act (42 U.S.C. Section 7401 et seq.) or its subsequent amendments require this state to apply the motor vehicle inspection and maintenance program to all the vehicle model years subject to the program under Section 382.203.

(b) If the commission determines that the federal Clean Air Act (42 U.S.C. Section 7401 et seq.) or a subsequent amendment does not require this state to apply the motor vehicle inspection and maintenance program to all the vehicle model years subject to the program under Section 382.203, the commission shall develop a plan to apply the program only to vehicles from model years that the commission determines are likely to fail an emissions-related inspection at a rate of five percent or more.

(c) The plan must provide for the revision of this state's air quality state implementation plan and any other state plans mandated by the federal Clean Air Act as necessary to account for

1 the proposed changes to the motor vehicle inspection and
2 maintenance program.

3 (d) The commission shall submit to the United States
4 Environmental Protection Agency a request that the agency approve
5 the plan.

6 (e) If the United States Environmental Protection Agency
7 approves the plan, the commission shall:

8 (1) amend or adopt rules necessary to implement the
9 plan;

10 (2) implement the plan; and

11 (3) submit to the legislature a list of recommended
12 statutory changes to facilitate implementing the plan, if any.

13 (f) Notwithstanding another provision of this chapter or
14 Chapter 548, Transportation Code, the commission and the Department
15 of Public Safety may implement a plan developed and approved under
16 this section.

17 SECTION 2. This Act takes effect September 1, 2017.